

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CLARENCE WESLEY HURT, III,

Plaintiff,

vs.

SPOKANE COUNTY SHERIFF'S
DEPARTMENT and SPOKANE
COUNTY SHERIFF'S DEPARTMENT,

Defendants.

NO. CV-08-361-RHW

ORDER STRIKING MOTIONS FOR
INJUNCTIVE RELIEF

BEFORE THE COURT are Plaintiff's documents titled, "Restraining Order in Civil Case," (Ct. Rec. 3), "Motion of Restoring Prisoner Rights," (Ct. Rec. 7), "Motion: Medical care to be Order," (Ct. Rec. 17), as well as untitled documents requesting injunctive relief at the Spokane County and Benton County Jails (Ct. Recs. 18 and 19). The court has liberally construed each of these documents as Motions for Injunctive Relief.

LOCAL COURT RULE 7.1

Plaintiff failed to note any of these motions for calendar (and he did not present memoranda in support of his motions) as required by Local Rule for the Eastern District of Washington 7.1(h). Because Plaintiff is proceeding *pro se* in this action, the Court has noted his motions for hearing without oral argument on the date signed below.

1 PLAINTIFF IS CAUTIONED THAT ANY FURTHER MOTIONS SUBMITTED TO THE COURT
2 WITHOUT NOTING THEM FOR HEARING IN COMPLIANCE WITH THE LOCAL RULES
3 WILL NOT BE ADDRESSED BY THE COURT.

4 Regardless, this court has no jurisdiction to address Plaintiff's
5 motions until he has filed a legally sufficient complaint. See
6 *generally* Fed. R. Civ. P. 3 and the notes following the rule.
7 Furthermore, Defendants are not parties to a suit before being served
8 with process, *see Neals v. Norwood*, 59 F.3d 530, 532 (5th Cir. 1995).
9 Accordingly, **IT IS ORDERED** Plaintiff's Motions (Ct. Recs. 3, 7, 17,
10 18, and 19) are **STRICKEN**.

11 Plaintiff is advised if he wishes to complain of alleged
12 constitutional violations which have occurred after he submitted his
13 initial complaint with this court on November 17, 2008, he may file a
14 separate action, once he has fully exhausted his available state court
15 remedies. This court is without jurisdiction to address his concerns
16 at this time.

17 **IT IS SO ORDERED.** The District Court Executive is directed to
18 enter this Order and forward a copy to Plaintiff at his last known
19 address.

20 **DATED** this 20TH day of January 2009.

21 *S/ Robert H. Whaley*

22 ROBERT H. WHALEY
23 CHIEF UNITED STATES DISTRICT JUDGE
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